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August 8, 2008

BY FACSIMILE – (212) 805-7942

Honorable Alvin K. Hellerstein  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *Yu et al. v. City of New York, et al.*, 08-CV-1308(AKH)(AJP)

Dear Judge Hellerstein:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department and the attorney assigned to represent defendants City of New York ("City") and Police Officer Vincent Bavaro in this matter. For the reasons set forth herein, defendants respectfully request that the Pre-Trial Conference presently scheduled for August 29, 2008, at 9:30 a.m., be adjourned until a time convenient for the Court in mid to late September 2008. Plaintiff's counsel consents to this application.

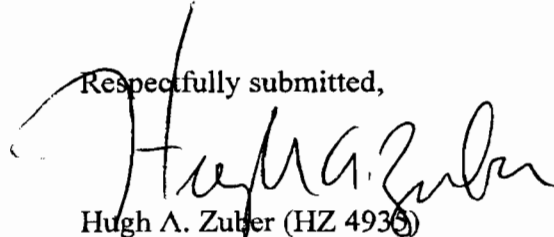
To date, the parties are engaged in document discovery, including exchanging and responding to Interrogatories and Requests for Production of Documents. Depositions for the relevant parties have been scheduled for the end of August and early September due to scheduling conflicts for both plaintiff and defendants. As such, the defendants respectfully request an adjournment of the Pre-Trial Conference until after all depositions are completed. We believe that this would be in the best interest of the Court's time.

No previous request for an adjournment of the Pre-Trial Conference has been made by either party. In light of the foregoing, defendants respectfully request that the Pre-Trial Conference presently scheduled for August 29, 2008, at 9:30 a.m., be adjourned until mid to late September 2008.

*Is ordered The pre-trial  
conf is adjourned until  
3, 2008,  
Oct.  
9:30 am.  
8-11-08  
Alvin Hellerstein*

Thank you for your consideration of this request.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Hugh A. Zuber". The signature is fluid and cursive, with a large initial "H" and "Z".

Hugh A. Zuber (HZ 4935)  
Assistant Corporation Counsel  
Special Federal Litigation Division

cc: Jeffrey Rothman, Esq.  
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